

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Criminal No. 13-129 (DWF/FLN)

Plaintiff,

v.

**SUPPLEMENTAL REPORT AND
RECOMMENDATION**

Frantz Pierre (1)

Defendants.

Karen Schommer, Assistant United States Attorney, for Plaintiff.
Robert Owens Jr., for Defendant Pierre.

On December 30, 2013, this Court recommended that six of Frantz Pierre's pre-trial motions, including his motion to sever counts one and two (ECF No. 87), be denied. Although Pierre's motion to sever counts was addressed in the body of that report and recommendation, the Court failed to include a ruling recommendation for the motion at the end of its report. ECF No. 150. This supplemental report and recommendation is for the sole purpose of clarifying that, based upon the facts and analysis set forth in the December 30, 2013 report and recommendation, **IT IS HEREBY RECOMMENDED** that Defendant Pierre's motion to sever counts one and two (ECF No. 87) should be **DENIED**.

DATED: January 29, 2014

s/Franklin L. Noel
FRANKLIN L. NOEL
United States Magistrate Judge

Pursuant to the Local Rules, any party may object to this Report and Recommendation by filing with the Clerk of Court and serving on all parties, on or before **February 12, 2014**, written objections

that specifically identify the portions of the proposed findings or recommendations to which objection is being made, and a brief in support thereof. A party may respond to the objecting party's brief within fourteen (14) days after service thereof. All briefs filed under the rules shall be limited to 3,500 words. A judge shall make a de novo determination of those portions to which objection is made.

Unless the parties are prepared to stipulate that the District Court is not required by 28 U.S.C. § 636 to review a transcript of the hearing in order to resolve all objections made to this Report and Recommendation, the party making the objections shall timely order and cause to be filed by **February 12, 2014** a complete transcript of the hearing.

This Report and Recommendation does not constitute an order or judgment of the District Court, and it is, therefore, not appealable to the Circuit Court of Appeals.